

Appn. Number 10/519,440

(Baker)

Request C

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/519,440

Filing Date

12/29/2004

First Named Inventor

Bill Richard Baker

Art Unit

Examiner Name

Attorney Docket Number

RDWD0301-USA

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FEB 21 2006**ENCLOSURES**

(Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

Remarks

Request for correction of USPTO records of documents  
previously submitted including claims amended under Article 19  
of the PCT.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Bill Richard Baker

Signature

*Bill Richard Baker*

Printed name

Bill Richard Baker

Date

02/21/2006

Reg. No.

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Bill Richard Baker*

Typed or printed name

Bill Richard Baker

Date

02/21/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**In the United States Patent and Trademark Office**

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**FEB 21 2006**

Appn. Number: 10/519,440  
Appn. Filed: 12/29/2004  
Applicant: Bill Richard Baker  
Title: Compound Phase Encoding For Printed Servo Patterns  
Examiner/AU: Tzeng/2651

Redwood City, February 21, 2006

**REQUEST FOR CORRECTION OF RECORDS C**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please correct the records of the US Patent Office to match documents submitted by Applicant for this matter. The first Office Action was difficult to understand until it was found through PAIR that files had been taken apart, some recombined under a new heading, and others grossly mislabeled. One file labeled "Amendment after final Office Action" was filed before the first Office Action was issued. Claims amended under Article 19 of the PCT were found, but they had not been entered in the Index of Claims and thus were ignored in the Office Action. Other amendments of claims were also misplaced.

In a telephone interview with the Primary Examiner on 02/14/2006 it was learned that documents were sent to an outside contractor for filing. Every sheet of the submitted documents was either a USPTO form with complete identification or it was provided with a header including identification of the application, section name, page number and total number of pages. Nevertheless, pages had been mixed in a manner confusing to both Examiner and Applicant.

Applicant prays that the files be organized and labeled as they were submitted, so that a clear basis exists for further discussions of this matter. A history of the submitted documents follows.

**HISTORY:** begins on page 3

**REMARKS:** begin on page 6

**CONCLUSION:** begins on page 7

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## HISTORY:

**02/14/2003** Provisional patent application **60/447442** was filed

Provisional Patent Application, Docket RDWD-2003-01,  
of Bill R. Baker consisting of twenty-three sheets of  
specification, four sheets of drawing, cover sheet and fee  
transmittal, \$80.00 check for filing fee, and receipt postcard  
filed February 14, 2003.

*Rev 3/24/03  
BRB*

JC971 U.S. PTO  
60/447442  
02/14/03

5 **12/23/2003** PCT application was filed

PCT Patent Application, Docket RDWD0301-PCT,  
of Bill R. Baker consisting of:  
1 Transmittal letter to US Receiving Office,  
5 sheets of PCT Request,  
1 sheet of PCT Fee Calculation,  
20 sheets of Description, Claims and Abstract,  
4 sheets of drawings,  
check # 3024 for \$2375.00,  
and receipt postcard filed December 31, 2003.

**PCT/US 03/41733**  
PTO6 Recd PCT/PTO 31 DEC 2003

**01/12/2004** Rescission of nonpublication request on PTO/SB/36

Rescission of previous nonpublication request, PTO/SB/36,  
for Application Number 60/447,442  
Docket number RDWD-2003-01-PPA  
of Bill R. Baker  
and receipt postcard.



*Rev 1/12/04  
BRB*

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**06/30/2004** WIPO mailed the Search Report and acknowledged that claims could still be amended under Article 19. That Search confused Applicant's prior work, a rewrite or SSW technique, with the present invention, a final servo pattern.

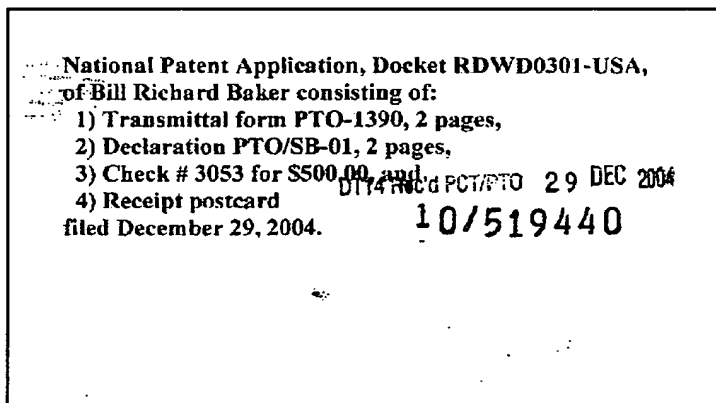
5 **08/26/2004** Applicant submitted amended claims to WIPO (by FAX) under Article 19 within the prescribed time limit of two months. Confirmation was received from WIPO.

**09/02/2004** WIPO published application WO 2004/075176 A1 including the Search Report and original claims with an acknowledgement that claims could still be amended  
10 under Article 19.

**10/21/2004** WIPO published the Claims as amended under Article 19 and sent them to member states including the USPTO. Those claims were included in the Image File Wrapper as "Documents submitted with 371 Applications" dated 12/29/2004.  
15

**12/28/2004** The Inventor's Help Desk said that the National Patent Application should be filed first, then further amendments could be filed (35 USC 371).

**12/29/2004** National patent application **10/519440** was filed.  
20



**02/16/2005** Applicant expanded terse mathematical terms of specification to emphasize differences (stated in Abstract of PCT application, but not recognized in WIPO Search) from Applicant's work of prior years. The claims under Article 19 were further amended to be  
25 more precise.


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Transmittal of Bill R. Baker re RPA 10/519,440 consisting of	
Transmittal Form	1 sheet
Letter	1 sheet
Substitute Specification	19 sheets
Mark-up of Prev. Spec.	19 sheets
Drawing (3/5) New Sheet	1 sheet
Amended Claims	9 sheets
Remarks	1 sheet
Conclusions	1 sheet
<b>Total</b>	<b>52 sheets</b>
This return receipt postcard	
Received for filing today:	



**07/12/2005** Applicant became anxious that previous amendment might be misinterpreted as new matter by a non-technical reader. Therefore the Specification was replaced with that of the PCT application.

**JCO4 Rec'd PCT/PTO 12 JUL 2005**

Transmittal of Bill R. Baker re RPA 10/519,440 consisting of	
Transmittal Form	1 sheet
Letter	1 sheet
Substitute Original Specification	16 sheets
Original Drawings	4 sheets
Remarks	1 sheet
Conclusions	1 sheet
<b>Total</b>	<b>24 sheets</b>
This return receipt postcard	
Received for filing today:	



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**11/24/2005** USPTO published the PCT application as US 2005/0259341 A1 with the Abstract but without the Claims amended under Article 19. The figure selected for the cover was not the relevant Fig. 3B of the WIPO publications.

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**12/13/2005** The first Office Action was mailed, but it apparently was based on documents filed improperly by the outside contractor.

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**REMARKS: --- General**

Applicant respectfully asks for help in reordering the files to provide a clear basis for further  
5 discussion.

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5 **CONCLUSION**

Applicant has included the History of submitted documents to aid in reassembling the files.

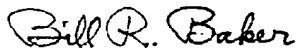
**Conditional Request for Constructive Assistance**

10

Applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

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Very respectfully,



Bill R. Baker

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Applicant Pro Se

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Redwood City, CA 94061

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